

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS**

8/27/2022

Nathan Ochsner, Clerk of Court

UNITED STATES OF AMERICA

Vs.

Waylen Long

CRIMINAL COMPLAINT

Case Number: **C-22-0972M**

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about August 26, 2022 in Kleberg County, in the
(Date)
Southern District of Texas, defendant, **Waylen Long**

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 1324.
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the
Official Title
following facts:

See Attached Affidavit of U.S. Border Patrol Agent **John Vanderveen**

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on the:


Signature of Complainant
John Vanderveen
Printed Name of Complainant

August 27, 2022
Date

at

Corpus Christi, Texas
City and State

Mitchel Neurock U.S. Magistrate Judge
Name and Title of Judicial Officer


Signature of Judicial Officer

AFFIDAVIT

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

PROBABLE CAUSE / FACTS:

On August 26, 2022, at approximately 12:20 p.m., a Border Patrol Agent conducting traffic watch operations in the Riviera, Texas area gained visual of a red Ford F-150 driving northbound on Highway 77. The agent had just heard a report over their service radio of a vehicle matching the description of the red F-150 using a crossover approximately one mile north of the Sarita, Texas Border Patrol checkpoint to change direction of travel from southbound to northbound. This tactic is commonly employed by alien smugglers to position their vehicles in a manner to allow them to pick up illegal aliens after they successfully circumvent the Border Patrol checkpoint afoot. The red F-150 was viewed using the crossover on a Border Patrol motion detection camera. The agent was further notified the same red F-150 was viewed dropping off a large group of people south of the Border Patrol checkpoint the prior week on a different motion detection camera. Prior to their encounter with the red F-150, the agent had been working on tracking and apprehending a large group of suspected illegal aliens in close proximity of the Sarita, Texas Border Patrol checkpoint, however, inclement weather forced the agents to abandon their efforts. Due to these facts, the agent decided to conduct a vehicle stop on the red Ford F-150 in order to conduct an immigration inspection on the vehicle's occupants.

After the vehicle came to a complete stop, the agent approached the F-150. The agent gained visual of three subjects laying down in the bed of the truck along with ten passengers plus the driver inside the cab of the F-150. The driver was identified as Waylen Long, a United States citizen. All other subjects were determined to be citizens of Guatemala, El Salvador, and Mexico illegally present in the United States. Long was placed under arrest for alien smuggling. All subjects were transported to the Kingsville, Texas Border Patrol Station for further investigation. Upon reaching the Border Patrol Station and prior to any statements being taken, all subjects were advised of their Miranda Rights in their preferred language.

PRINCIPAL STATEMENT: Waylen Long

Long stated he owed money to some people whom he had known for approximately six months. Due to the debt, he had no choice but to go get the people who were encountered with him in the truck today. He referred to the people he had to pick up as "Mexican Nationals". When asked by agents if he thought they had permission to be in the United States, Long said, "I'd imagine not". He stated he was to pick up the people approximately a mile north of the checkpoint. Once he got to the location, he honked the truck's horn and people ran up and jumped in. Long stated he was to drive the aliens to Houston, Texas. Long agreed with agents that he was transporting the group in an unsafe manner.

MAT-WIT STATEMENT: Luis Eduardo Velasquez-Galindo

Velasquez, a citizen of Mexico, stated he illegally entered the United States approximately 12 day prior to his arrest. He was eventually taken by alien smugglers to an abandoned house where other illegal aliens were present. Velasquez stated his phone was taken away to prevent him from calling 911. He was eventually taken, along with the rest of the group he was encountered with, in a pickup truck to be dropped off so they could walk around the checkpoint. The group was given a blue colored phone that unknown smugglers used to guide them around the


checkpoint and to the pickup location. Once their ride arrived to pick them up, the group ran and jumped into the truck. Velasquez stated he jumped in to the bed of the truck. He described the driver of the truck as nervous and stated the driver repeatedly said "fuck" as Border Patrol was making their vehicle stop. Velasquez stated riding in the bed of the truck made him fear for his life. He stated he planned to go to New York, New York but was first going to meet up with his brother in Houston, Texas. Velasquez was to pay a total of \$15,000 for his smuggling arrangements. When shown a photo lineup, Velasquez was able to positively identify Waylen Long.

MAT-WIT STATEMENT: Bryan Oswaro Hernandez-Gonzalez

Hernandez, a citizen of El Salvador, stated he illegally entered the United States approximately three days prior to his encounter with Border Patrol. He stayed in a house in McAllen, Texas before being smuggled further into the United States. Hernandez stated they were dropped off on the west side of the highway south of the checkpoint. He stated once they were dropped off, they were given a cell phone which was used to guide the group. They eventually reached the pickup location, but the pickup vehicle was not there. Instead, they kept walking north and crossed the highway. They waited on the east side of the highway where they were advised via the phone they were given, that a red truck would be picking them up. They were picked up by a red truck and the driver motioned to them using his hands to keep their heads down. Hernandez stated his smuggling arrangements cost a total of \$10,000. Hernandez was able to identify Waylen Long in a photo lineup.

DISPOSITION:

The facts of this case were presented to the Assistant United States Attorney's Office who accepted Waylen Long for prosecution of 8 USC 1324, Alien Smuggling. Luis Eduardo Velasquez-Galindo and Bryan Oswaro Hernandez-Gonzalez will be held as material witnesses in this case.


John L VanderVeen
Border Patrol Agent

Submitted by reliable electronic means, sworn to,
signature attested telephonically per Fed.R.Crim.P.4.1,
and probable cause found on August 27, 2022.


Mitchel Neurock
United States Magistrate Judge